IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 1128 OF 2003

Shri Abdul Aziz Haji Joonas.] .. Petitioner
Vs
The Education Officer, MCGM.] .. Respondent

ALONGWITH

WRIT PETITION NO. 799 OF 2004

Narendra Bhavanji Gala.] .. Petitioner
Vs
The Education Officer, MCGM] .. Respondents

Mr. Paras Jain with Manoj Dalvi i/b Banatwala & Co. for the petitioners.

Mr. D.H. Mehta with Mrs. S. Ajit Kumar for the respondents.

CORAM: F.I. REBELLO &
ANOOP V. MOHTA, JJ.

DATED: 24TH APRIL, 2006

P.C. :

. In both these Petitions, proceedings for eviction of the respondents are pending before the Small Causes Court. The Petitions also raise a challenge to the Resolution of the Corporation for surrender of tenancy rights. Considering the order to be passed, we do not think that we should deal with the issue of the challenge to the Resolution and that can be dealt with in a proper matter where it so arises.

2. Counsel for the petitioner informs us that insofar as Writ Petition No.1128 of 2003 is concerned, the Suit has been disposed of against which the respondents have preferred an Appeal. The Appellate Bench of the Small Causes Court is directed to dispose of the Appeal within six months from today.

3. Insofar as Writ Petition No.799 of 2004 is concerned, learned counsel states that the suit is pending. Considering that, the Small Causes Court is directed to dispose of the suit within 9 months from today.

4. Rule made absolute accordingly. There shall be no order as to costs.

Sd/-
[F.I. REBELLO, J.]

Sd/-
[ANOOP V. MOHTA, J.]